

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY TURNER,

Plaintiff,

v.

MICHAEL ULLERY, et al.,

Defendants.

No. 2:22-cv-0002 TLN KJN P

ORDER

Plaintiff is a state prisoner, proceeding pro se, with this civil rights action seeking relief pursuant to 42 U.S.C. § 1983. Plaintiff filed two motions, both of which are denied without prejudice, as set forth below.

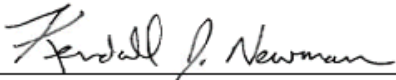
First, on August 22, 2022, plaintiff filed a motion for leave to amend his complaint. Plaintiff's motion was not, however, accompanied by a proposed amended complaint. As a prisoner, plaintiff's pleadings are subject to evaluation by this court pursuant to the in forma pauperis statute. See 28 U.S.C. § 1915A. Because plaintiff did not submit a proposed amended complaint, the court is unable to evaluate it. Therefore, his motion is denied without prejudice.

Second, plaintiff filed a motion to transport four witnesses to court for trial. However, plaintiff's motion is premature. As the court explained in the July 18, 2022 discovery and scheduling order, plaintiff's motion for the attendance of incarcerated witnesses should be submitted along with his pretrial statement. (ECF No. 29.) The deadline for filing pretrial

1 statements will be set in a subsequent order, after discovery closes and pretrial motions have been  
2 resolved. Plaintiff's motion is denied without prejudice.

3 Accordingly, IT IS HEREBY ORDERED that plaintiff's August 22, 2022 motions (ECF  
4 Nos. 32 & 33) are denied without prejudice.

5 Dated: August 29, 2022

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7 KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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